

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS**

United States of America

vs.

David Turner

Docket No. 15CR10284

PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE

The undersigned Pretrial Services Officer presents this report regarding defendant , who was placed under pretrial release supervision by the Honorable Marianne B. Bowler, on 08/25/15 under the following conditions:

\$25,000.00 Unsecured Bond and the following conditions:

- 1.Participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
- 2.Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. 802, unless prescribed by a licensed medical practitioner.
- 3.Refrain from any use of alcohol.
- 4.Submit to any testing required by the pretrial services office or the supervising officers to determine whether the defendant is using a prohibited substance. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.
- 5.Travel is restricted to the District of Massachusetts.
- 6.Surrender any passport to U.S. Probation and Pretrial Services.
- 7.Do not obtain a passport or any other travel document while this case is pending.
- 8.Refrain from possessing any firearm, destructive device, or other dangerous weapon.
- 9.Report to U.S. Probation and Pretrial Services as directed.
- 10.The defendant shall be required to pay for, or contribute to the cost of, the imposed monitoring and/or treatment services conditions, based on an ability to pay. In the case of treatment services, third party payment may be used, if available.
- 11.Obey all statutory conditions of release.
- 12.Report any contact with law enforcement within 24 hours.
13. Substance abuse evaluation ordered

On November 20, 2015, the defendant appeared before Magistrate Judge Marianne B. Bowler for a bail revocation hearing to address allegations of assault made against the defendant by an individual. As a result of this hearing, the Court amended the release conditions to include a curfew from 8 p.m to 6 a.m. to be monitored by electronic monitoring. On January 6, 2016, the Court allowed a motion filed by defense counsel requesting that the condition of the curfew be removed so that the defendant could be available to leave his residence at any time to provide snow plowing services.

The Probation and Pretrial Services Office respectfully seeks action by the Court and for cause as follows:

According to a Peabody, MA Police Department incident report, on February 11, 2016, Peabody police officers were dispatched to 1 Donegal Road (public way), after an off duty police officer reported he observed a motor vehicle striking trash barrels on the side of the road way. The defendant was found to be the operator of this motor vehicle. The defendant was arrested and charged with Operating to Endanger and Damaging/Defacing Property. He was arraigned at the Peabody District Court Dkt. # 1686CR000196A-C and this matter remains pending. On 5/23/17, the defendant was arrested by the Lynnfield Police on a Default Warrant related to this case. He was brought before the Peabody District Court and released on prior conditions. His next court date is 7/26/17. He is required to complete a Driver's Safety Class, which he is reportedly in the process of registering for. At this time, we respectfully request no court action.

Petition for Action on Conditions of Pretrial Release

PRAYING THE COURT WILL:

- ☐ Issue a Warrant
- ☐ Issue a Summons for the defendant to appear for a show cause hearing
- ☒ Other: No further court action

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: 6/20/2017

Place: Lawrence, Massachusetts

/s/ Thomas C. Mullen III

U.S. Pretrial Services Officer

Date: 6/20/17

U.S. Pretrial Services Officer

Reviewed and approved by:

/s/ Andrew J. Laudate

Date: 6/20/17

Andrew J. Laudate

Supervising U.S. Probation Officer

ORDER OF COURT



Warrant to Issue



Summons to issue. Clerk to schedule show cause hearing.



Other: No action at this time.

Considered and ordered this 22nd day of June, 2017, and ordered filed and made part of the record in the above case.

/s/ George A. O'Toole, Jr.

United States District Judge